

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

UNITED STATES OF AMERICA	:	DATE FILED:	
v.	:	CRIMINAL NO.:	
RASHEED JOHNSON	:	VIOLATIONS	18 U.S.C. § 1344 (bank fraud - 4 counts)
	:		18 U.S.C. § 2 (aiding and abetting)
	:		Notice of Forfeiture

INDICTMENT

COUNT ONE

THE GRAND JURY CHARGES THAT:

1. At all times material to this indictment, First Union Bank (now Wachovia Bank) was a financial institution whose deposits were insured by the Federal Deposit Insurance Corporation, certificate number 33869-9.

2. From in or about October 1998 through in or about November 1999, in the Eastern District of Pennsylvania and elsewhere, defendant

RASHEED JOHNSON

knowingly executed, and attempted to execute, and aided and abetted the execution of, a scheme to defraud First Union Bank, and to obtain monies owned by and under the care, custody, and control of that bank by means of false and fraudulent pretenses, representations and promises.

THE SCHEME

The "JS" Account

3. In or about October 1998, defendant RASHEED JOHNSON learned that an individual with the initials JS maintained an account at First Union Bank ending in the digits 959.

4. In or about October 1998, defendant RASHEED JOHNSON assumed the identity of JS, changed the address of record to one defendant JOHNSON controlled, and ordered new checks for that account.

5. From in or about October 1998 to in or about November 1998, defendant RASHEED JOHNSON withdrew funds from the account totaling \$7,175 by fraudulently pretending that he was an owner of the account with authority to take funds from the account.

The "JT" Account

6. In or about October 1998, defendant RASHEED JOHNSON assumed the identity of an individual with the initials JT and opened an account in JT's name at First Union Bank ending in the digits 195.

7. In or about October 1998, defendant RASHEED JOHNSON deposited into the JT account worthless checks drawn on other accounts defendant JOHNSON controlled.

8. Between in or about October 1998 and in or about November 1998, defendant RASHEED JOHNSON withdrew funds totaling \$4,825 by fraudulently pretending that he was JT and that he owned the funds in the account, and by drawing checks on the account made payable to a criminal associate.

The "KR" Account

9. In or about January 1999, defendant RASHEED JOHNSON assumed the identity of an individual with the initials KR and opened an account in KR's name at First Union Bank ending in the digits 448.

10. From in or about January 1999 to in or about February 1999, defendant RASHEED JOHNSON deposited into the account worthless checks from other accounts he controlled.

11. From in or about January 1999 to in or about February 1999, defendant RASHEED JOHNSON withdrew funds totaling \$14,095 by fraudulently pretending that he was KR and that he owned the funds in the account, and by drawing checks on the account made payable to criminal associates and innocent third parties.

The "TB" Account

12. In or about March 1999, defendant RASHEED JOHNSON assumed the identity of an individual with the initials TB and opened an account in TB's name at First Union Bank ending in the digits 371.

13. In or about March 1999, defendant RASHEED JOHNSON deposited into the account bad checks from other accounts he controlled.

14. From in or about March 1999 through in or about November 1999, defendant RASHEED JOHNSON withdrew funds totaling \$9,450 by fraudulently pretending that he was TB and that he owned the funds in the account, and by drawing checks on the account made payable to a criminal associate.

In violation of Title 18, United States Code, Sections 1344 and 2.

COUNT TWO

THE GRAND JURY FURTHER CHARGES THAT:

1. At all times material to this indictment, Sovereign Bank was a financial institution whose deposits were insured by the Federal Deposit Insurance Corporation, certificate number 29950-2.

2. From in or about October 1998 through in or about November 1998, in the Eastern District of Pennsylvania and elsewhere, defendant

RASHEED JOHNSON

knowingly executed, and attempted to execute, a scheme to defraud Sovereign Bank, and to obtain monies owned by and under the care, custody, and control of that bank by means of false and fraudulent pretenses, representations and promises.

THE SCHEME

The "AB" Account

3. In or about October 1998, defendant RASHEED JOHNSON learned that an individual with the initials AB maintained a bank account at Sovereign Bank ending in the digits 003.

4. In or about October 1999, defendant RASHEED JOHNSON assumed the identity of AB, directed Sovereign Bank to change the address of record on the account to one defendant JOHNSON controlled, and ordered a new checkbook.

5. Between in or about October 1998 to in or about November 1998, defendant RASHEED JOHNSON withdrew funds totaling \$2,925 from the account by fraudulently pretending that he was an owner of the account with authority to withdraw funds from the account.

The "SD" Account

6. In or about October 1999, defendant RASHEED JOHNSON discovered that an individual with the initials SD had an account at Sovereign Bank ending in the digits 429.

7. In or about October 1999, defendant RASHEED JOHNSON assumed the identity of SD, directed Sovereign Bank to change the address of record on the SD account to one defendant JOHNSON controlled, and ordered an ATM card.

8. From in or about November 1999 through in or about December 1999, defendant RASHEED JOHNSON obtained approximately \$19,547 by fraudulently pretending that he was an owner of the account with authority to withdraw funds from the account.

The "JJ" Account

9. In or about February 2000, defendant RASHEED JOHNSON discovered that an individual with the initials JJ maintained an account at a company which provided investor services, including stock transfer services.

10. In or about February 2000, defendant RASHEED JOHNSON assumed the identity of JJ, changed the address of record for JJ's account at the investor services company to one defendant JOHNSON controlled, and changed the name on the account from JJ to Robert Johnson.

11. On or about February 4, 2000, defendant RASHEED JOHNSON directed the investor services company to sell securities belonging to JJ (now in Robert Johnson's name) and to send him the proceeds--\$2,975.53--by check payable to Robert Johnson.

12. On or about February 16, 2000, defendant RASHEED JOHNSON opened an account ending with the digits 284 at Sovereign Bank under the name Robert Johnson and deposited the \$2,975.53 check into the account.

13. From in or about February 2000 to in or about March 2000, defendant RASHEED JOHNSON withdrew funds totaling \$2,555 from the account by fraudulently pretending that he owned and had authority to withdraw the funds.

The "RJ" Account

14. In or about March 2000, defendant RASHEED JOHNSON discovered that an individual with the initials RJ maintained an account at a company which provided investor services, including stock transfer services.

15. In or about March 2000, defendant RASHEED JOHNSON assumed the identity of RJ, and changed the address of record for RJ's account at the investor services company to one defendant JOHNSON controlled.

16. On or about March 17, 2000, defendant RASHEED JOHNSON directed the investor services company to sell securities belonging to RJ, and to send defendant JOHNSON the proceeds in the form of a check payable to RJ for \$77,196.91.

17. On or about March 23, 2000, defendant RASHEED JOHNSON opened an account at Sovereign Bank under RJ's name ending in the digits 774 and deposited the \$77,196.91 check into the account by fraudulently pretending he owned the funds and had authority to deposit them into the account.

In violation of Title 18, United States Code, Section 1344.

COUNT THREE

THE GRAND JURY FURTHER CHARGES THAT:

1. At all times material to this indictment, the Philadelphia Federal Credit Union was a financial institution whose deposits were insured by the National Credit Union Share Insurance Fund, certificate number 07238.

2. In or about June 1999, in the Eastern District of Pennsylvania and elsewhere, defendant

RASHEED JOHNSON

knowingly executed, and attempted to execute, a scheme to defraud the Philadelphia Federal Credit Union, and to obtain monies owned by and under the care, custody, and control of that bank by means of false and fraudulent pretenses, representations and promises.

THE SCHEME

3. In or about June 1999, defendant RASHEED JOHNSON learned that an individual with the initials RF maintained an account at the Philadelphia Federal Credit Union ending in the digits 340.

4. In or about June 1999, defendant RASHEED JOHNSON assumed the identity of RF and changed the address of record to one defendant JOHNSON controlled.

5. On or about June 23, 1999, defendant RASHEED JOHNSON withdrew \$300 from the account by fraudulently pretending that he was an owner of the account with authority to withdraw funds from the account.

In violation of Title 18, United States Code, Section 1344.

COUNT FOUR

THE GRAND JURY FURTHER CHARGES THAT:

1. At all times material to this indictment, PNC Bank was a financial institution whose deposits were insured by the Federal Deposit Insurance Corporation, certificate number 6384.

2. In or about January 2000, in the Eastern District of Pennsylvania and elsewhere, defendant

RASHEED JOHNSON

knowingly executed, and attempted to execute, a scheme to defraud PNC Bank, and to obtain monies owned by and under the care, custody, and control of that bank by means of false and fraudulent pretenses, representations and promises.

THE SCHEME

3. In or about January 2000, defendant RASHEED JOHNSON assumed the identity of an individual with the initials JH IV and opened an account at PNC Bank ending in the digits 034 under this name.

4. On or about January 10, 2000, defendant RASHEED JOHNSON deposited into this account a check in the amount of \$2,950 drawn on an account defendant JOHNSON had opened at First Union Bank but which First Union Bank had closed.

5. On or about January 10, 2000, defendant RASHEED JONNISON made two withdrawals from the account totaling \$805 by fraudulently pretending that he was JH IV and that he owned the funds in the account.

In violation of Title 18, United States Code, Section 1344.

NOTICE OF FORFEITURE

THE GRAND JURY FURTHER CHARGES THAT:

1. As a result of the violations of Title 18, United States Code, Section 1344, set forth in this indictment, defendant

RASHEED JOHNSON

shall forfeit to the United States of America any property that constitutes, or is derived from, proceeds obtained directly or indirectly from the commission of such offenses, including, but not limited to, the sum of \$61,667.

2. If any of the property subject to forfeiture, as a result of any act or omission of the defendant:

- (a) cannot be located upon the exercise of due diligence;
- (b) has been transferred or sold to, or deposited with, a third party;
- (c) has been placed beyond the jurisdiction of the Court;
- (d) has been substantially diminished in value; or
- (e) has been commingled with other property which cannot be divided without difficulty;

it is the intent of the United States, pursuant to Title 18, United States Code, Section 982(b), incorporating Title 21, United States Code, Section 853(p), to seek forfeiture of any other property of the defendant up to the value of the property subject to forfeiture.

All pursuant to Title 18, United States Code, Section 982(a)(2).

A TRUE BILL:

GRAND JURY FOREPERSON

PATRICK L. MEEHAN
United States Attorney